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AMENDMENT TRANSMITTAL LETTER**After Final Rejection**

Application No. 10/672,327	Filing Date September 26, 2003	Examiner B. E. Snow	Group Art Unit 3738
Applicant(s): Lance Middleton			Docket No. SPINE 3.0-2144 DIV II

Invention: ARTIFICIAL INTERVERTEBRAL DISC

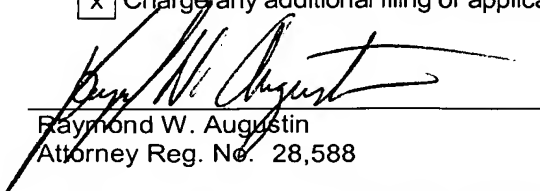
TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	6	- 21 =		x	
Independent Claims	3	- 4 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

- ☒ Large Entity ☐ Small Entity
- ☒ No additional fee is required for this amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of _____.
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 12-1095
as described below. A duplicate copy of this sheet is enclosed.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.


Raymond W. Augustin
Attorney Reg. No. 28,588

Dated: July 7, 2006

LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 7, 2006

Signature:  (Raymond W. Augustin)

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Dated: July 7, 2006

Signature: 

(Raymond W. Augustin)

EXPEDITED PROCEDURE

Group Art Unit: 3738

Docket No.: SPINE 3.0-2144 DIV II

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: :
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Lance Middleton :
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Application No.: 10/672,327 : Group Art Unit: 3738
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:
Filed: September 26, 2003 : Examiner: B. E. Snow
:
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:
For: ARTIFICIAL INTERVERTEBRAL DISC :

AMENDMENT UNDER 37 CFR 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action dated March 9, 2006 and Advisory Action dated June 9, 2006, finally rejecting claims 1-11 and 13-15, please amend the above-identified U.S. patent application as follows: